

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOUGLAS J. KIFFMEYER,

Defendant.

Case No. 3:18-CR-30111-NJR

ORDER

ROSENSTENGEL, Chief Judge:

At a competency hearing held on September 12, 2019, the Court found by a preponderance of the evidence that Defendant Douglas Kiffmeyer is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Accordingly, Defendant is **COMMITTED** to the custody of the Attorney General for hospitalization for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future Defendant will attain the capacity to permit the proceedings to go forward (*Id.*). The Court further **ORDERS** that Defendant be hospitalized at the United States Medical Center for Federal Prisoners in Springfield, Missouri.

Pursuant to 18 U.S.C. § 4241(e), when the director of the facility in which Defendant is hospitalized determines that Defendant has recovered to such an extent that

he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense, he shall promptly file a certificate to the effect with the Clerk of Court. The Clerk shall send a copy of the certificate to Defendant's counsel and to the attorney for the Government. Upon receipt of such a certificate, the Court will set this matter for hearing pursuant to § 4247(d). Defendant shall return to the district within ten days of the entry of such an order setting this matter for competency hearing.

The time allowed for hospitalization under this order shall begin on the day Defendant physically reports to the designated institution. Because Defendant is on bond and has had no violations, he is **ORDERED** to self-report to FMC Springfield on the date directed by the Bureau of Prisons.

It is further **ORDERED** that this matter be continued until such time as a hearing is held to determine competency to stand trial in accordance with 18 U.S.C. 4247(d). The resulting delay shall be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161(h) (1)(A) and (h)(1)(F).

IT IS SO ORDERED.

DATED: September 12, 2019

The image shows a handwritten signature in black ink that reads "Nancy J. Rosenstengel". The signature is written in a cursive, flowing style. To the right of the signature, there is a faint, circular official seal of the United States District Court for the District of New Jersey.

NANCY J. ROSENSTENGEL
Chief U.S. District Judge